

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

SCOTT HIMMEL,
Individually and as Representative of
Similarly Situated Persons,

Plaintiff,

v.

NATIONAL CREDIT SYSTEMS, INC.

Defendant.

Case No. 21-cv-2008

NOTICE OF REMOVAL

COMES NOW Defendant National Credit Systems, Inc. (hereinafter, “NCS”) and hereby removes the above-entitled action originally filed in the Cook County Circuit Court, Illinois, to the United States District Court for the Northern District of Illinois, pursuant to 28 U.S.C. §§ 1331, 1367, 1441 and 1446 without waiver of any defenses.

1. On or about March 16, 2021, NCS was served with a copy of the Complaint filed by Plaintiff Scott Himmel (“Plaintiff”) in the Cook County Circuit Court, Illinois, action entitled *Scott Himmel v. National Credit Systems, Inc.*, Cook County Circuit Court, Illinois, Case No. 2021-CH00963. A true and correct copy of Plaintiff’s Complaint (“the State Court Action”) is attached hereto as Exhibit A.

2. The State Court Action indicates that it was filed on March 8, 2021. (See Exhibit A).

3. Pursuant to 28 U.S.C. § 1331, this Court has jurisdiction over the State Court Action because it raises federal questions. Specifically, Plaintiff alleges that NCS has violated the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* by sending letters to him that do not comply with the notice provisions contained therein.

4. As required by 28 U.S.C. § 1446(b), this Notice of Removal is properly filed within

thirty (30) days of the Receipt of the Summons and Complaint in the State Court Action.

5. Venue is proper pursuant to 28 U.S.C. § 1446(a) because Cook County is in the Northern District of Illinois.

6. NCS will promptly file a copy of this Notice of Removal with the Clerk of the Cook County Circuit Court, and a copy of this Notice of Removal is being concurrently served upon the Plaintiff.

7. As such, Removal of the State Court Action is therefore proper under 28 U.S.C. §§ 1331, 1367, 1441 and 1446.

Respectfully submitted,

SMITH & WEIK, LLC

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CERTIFICATE OF SERVICE

I hereby certify that on April 14, 2021, I served all parties of record the foregoing electronically through the Illinois Courts electronic filing system.

/s/ Jonathan D. Nusgart